

REMARKS

The non-final Office Action mailed on August 22, 2008 has been reviewed and the Examiner's comments have been carefully considered regarding pending claims 1-34 and 42-60.

Claims 1-34 and 42-60 were previously rejected under 35 USC §112. In the non-final Office Action mailed on August 22, 2008 the Examiner stated that the finality of the 35 USC §112 rejections has been withdrawn.

New grounds of rejections of the same claims are made under 35 USC §103. Applicants respond to the rejections below.

Examiner Interview

Applicants thank Examiner Khan and Primary Examiner Douyon for their time in conducting an interview with Mr. Tremitchell Wright and the undersigned on September 16, 2008.

Applicants hereby provide a statement of the substance of the interview in accordance with MPEP Section 713.04. The substance of the interview pertained to the remaining rejections to the claims, all under 35 U.S.C. §103, of this pending application. Applicants requested additional explanation as to the nature of rejections within the meaning of 35 U.S.C. §103.

Mr. Wright, pointed out that the references cited in the Office Action dated August 22, 2008 disclose conventional laundering apparatuses that include components made of polymers that are non-conductive and do not function to dissipate static charge. Mr. Wright cleared up some confusion surrounding the polypropylene material, for example, used in washing machines currently sold on the market and the polypropylene material used in the cited "Jamplast" document (www.jamplast.com/plastic_data_PP2.htm). The Jamplast document references a polypropylene homopolymer that is static dissipating, whereas the polypropylene used in commercial laundering equipment is not static dissipating. The Office Action suggests that because the polypropylene cited in the Jamplast document is a "homopolymer" then this polypropylene is naturally static dissipating. This led to the mistaken belief that the "neat" or "virgin" polymer materials used in the conventional washing machines must be static dissipating. Mr. Wright explained that "neat" or "virgin" polymers are naturally non-conductive, regardless of whether they are homopolymers, copolymers, etc., and that conductive materials must be

added to them to be static dissipating. Therefore, the Jamplast document does not serve as a basis to establish that the polymers used in conventional laundry apparatuses are conductive polymers. One of ordinary skill in the art knows that the polymers used in the wash chambers and tubs of the Sharp et al. (US 5,852,942) and Barnish et al. (US 3,477,259) references are non-conductive materials and are distinct from static dissipating compositions recited in the pending claims.

To illustrate the point that "neat" or "virgin" polymers are naturally non-conductive, Mr. Wright referred to US Pat. No. 7,390,563 issued on June 24, 2008 to Kadoya et al. The patent is directed to an electroconductive polypropylene foamed sheet comprising foamed polypropylene layer and an electroconductive layer comprised of electrically conductive particles in a methyl methacrylate/methacrylate copolymer resin binder. The background (see Col. 1, lines 20-27) describes a problem of the foamed packaging is that "such a foam is made of a thermoplastic resin and is an insulator" and therefore has no static dissipation properties. Thus, this patent portrays a recent example of an inventive polymer foam sheet that incorporates a conductive layer to solve the problem.

In addition, it was discussed in the Examiner interview that a dry cleaning method using a laundering apparatus comprising components of a static dissipating composition would not be obvious over current methods of laundering in conventional washing machines comprising non-conductive polymers. Whirlpool Corporation, for example, manufactures millions of washing machines globally which use polymer wash chambers, for example, which are non-conductive.

Agreement with respect to the patentability of the pending claims was not reached, however, the Examiners requested that Applicants submit explanation in writing in response to the final Office Action.

Rejection of Claims 1-4, 11 and 51-54 Under 35 USC §103

Claims 1-4, 11 and 51-54 stand rejected under 35 USC §103(a) as being unpatentable over *Estes et al.* (US 6,045,588) in view of *Berndt et al.* (US 6,059,845). The Examiner states that it would have been obvious to modify the dry cleaning methods of *Estes* by incorporating in the apparatus the polyethylene chamber of *Berndt et al.* because they teach the device is useful as a non-rusting conventional chamber material.

As explained above in the Interview Summary, the "neat" or "virgin" polymers are naturally non-conductive, regardless of whether they are homopolymers, copolymers, etc., and that conductive materials must be added to them to be static dissipating. *Berndt et al.* do not disclose a polymer composition that functions to dissipate static charge, and therefore, the combination of *Estes et al.* and *Berndt et al.* references does not add up to the embodiments of Applicants invention as claimed.

In note number 5 of the Office Action, claims 1-4, 11 and 51-54 stand rejected under 35 USC §103(a) as being unpatentable over *Estes et al.* (US 6,045,588) in view of *Sharp et al.* (US 5,852,942), the Jamplast document ([www.jamplast.com/plastic data PP2.htm](http://www.jamplast.com/plastic%20data%20PP2.htm)) and *Radomyselski* (US 2003/0226214). The Examiner states that it would have been obvious to one of ordinary skill in the art to modify the dry cleaning method of *Estes* by incorporating into the apparatus the polypropylene chamber of *Sharp et al.* because *Sharp et al.* teach that the polypropylene tubs are conventional as washer tubs, and polypropylene is useful as a resiliently flexible material for laundering. Also, one of ordinary skill would have been motivated to combine the teachings of *Radomyselski* that teach dry cleaning can be done in conventional washing machines, and the Jamplast document which teaches that the polypropylene is excellent in static dissipation.

Applicants respectfully submit that the Jamplast document refers to a polypropylene that is static dissipating. One of ordinary skill in the art would know that a neat or virgin polypropylene material is naturally non-conductive and would not dissipate static charge. Therefore, Applicants submit that polypropylene tubs are already referred to in the art, however they do not control static electricity. In conventional laundering, other means, for example humidity, can control build-up of static charge. One of ordinary skill in the art would not find it obvious to employ a material that is conductive for use in laundering.

Note number 6 of the office action states that *Barnish et al.* teach a washing machine tub chamber that is constructed of polypropylene and the Jamplast document teaches that polypropylene is excellent in static dissipation.

Applicants submit that the polypropylene washer tubs of *Barnish et al.* would not appreciably dissipate static charge without an appropriate conductive additive. It would not be obvious to one of ordinary skill in the art to utilize a conductive polymer in the laundering system.

Applicants respectfully request withdrawal of the rejection under 35 USC §103(a) and respectfully request the allowance of claims 1-4, 11 and 51-54.

Rejection of Claims 5-8, 12-18, 21 and 22 Under 35 USC §103

The Examiner states that claims 5-8, 12-18, 21 and 22 are rejected under 35 USC §103(a) as being unpatentable over *Estes et al.* (US 6,045,588) in view of *Evers et al.* (US 2003/0097718), in view of *Berndt et al.* (US 6,059,845), in view of *Sharp et al.* (US 5,852,942), the Jamplast document ([www.jamplast.com/plastic data PP2.htm](http://www.jamplast.com/plastic%20data%20PP2.htm)), and Radomyselski (US 2003/0226214).

In note number 7 the Examiner states it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the dry cleaning methods taught by *Estes et al.* and *Berndt et al.* by incorporating a water in working fluid treatment step as taught by *Evers* because *Evers et al.* teaches the utility of applying low aqueous treatment steps to efficiently dry clean fabric articles.

In note number 8 the Examiner states that it would have been obvious to one of ordinary skill in the art to modify the dry cleaning methods taught by *Estes et al.*, *Sharp et al.*, the Jamplast document, and *Radomyselski et al.* by incorporating a water in working fluid treatment step taught by *Evers*.

In note number 9 the Examiner cites *Barnish et al.*, and states that it would have been obvious to one of ordinary skill in the art to incorporate a water in working fluid treatment step taught by *Evers et al.* because *Evers* teaches the utility of applying low aqueous treatment steps to efficiently dry clean fabric articles.

Applicants respectfully submit that claims 5-8 are ultimately dependent on claim 1 and claims 12-18, 22 and 23 are ultimately dependent on claim 12, and which recite that the automatic laundering apparatus comprises components formed from a static dissipating composition. One of ordinary skill in the art would not be motivated or have reason to use components which are formed from a static dissipating composition in a laundering apparatus for cleaning fabric.

Applicants respectfully request withdrawal of the rejection under 35 USC §103(a), and request allowance of claims 5-8, 12-18, 21 and 22.

Rejection of Claims 9, 10, 19, 20, 24-34, 42-45, 47-49, 57-60 Under 35 USC §103

Claims 9, 10, 19, 20, 24-34, 42-45, 47-49, 57-60 stand rejected under 35 USC §103(a) as being unpatentable over *Estes et al.*, *Berndt et al.*, *Evers et al.*, and further in view of *Fyvie et al.* (US 2004/0117920). The Examiner states that it would have been obvious to one of ordinary skill in the art to modify the cleaning methods taught by *Estes et al.*, Berndt and *Evers et al.* by incorporating the temperature, solvent/moisture, humidity and conductivity sensing steps as taught by *Fyvie et al.* because Fyvie teaches the utility of sensing the above-mentioned parameters to provide more efficient cleaning of fabric articles. Regarding the limitation of removing water prior to contacting the fabric with the cleaning fluid, the Examiner stated that it would be obviously taught by Estes because Estes teaches spinning the fabric before treating it with fluid.

Applicants respectfully submit that the Examiner does not address the feature of the claims that recites that the laundering apparatus comprises components of a static dissipating composition. Therefore, it would not be obvious for one of ordinary skill in the art to employ a method of cleaning as claimed where conventional laundering apparatuses do not use conductive materials to dissipate static charge.

With respect to paragraph 11 the Examiner states that it would have been obvious to one of ordinary skill in the art to modify the cleaning methods taught by *Estes et al.*, Sharp, Jamplast document, *Radomyselski* and *Evers* by incorporating the temperature, solvent/moisture, humidity and conductivity sensing steps as taught by *Fyvie et al.* Further with regard to note number 12 the Examiner states that it would have been obvious to one of ordinary skill in the art to modify the cleaning methods taught by *Estes et al.*, Barnish, Jamplast document, *Radomyselski* and *Evers*.

As described above the claims are dependent upon a method in which the structure of the automatic laundering apparatus comprises components formed from a static dissipating composition or a conductive polymer and it would have not been obvious for one of ordinary skill in the art to utilize a dissipating composition where the cited art uses a naturally non-conductive polymer in the wash tub.

Furthermore, as stated in a previous response dated September 19, 2007, Fyvie et al. disclose sensing moisture when the non-aqueous working fluid is washing the fabric load, but does not disclose sensing the initial moisture content of the fabric in the chamber of the laundering apparatus prior to adding working fluid to the chamber and optionally heating the fabric when the moisture content is above a predetermined quantity.

Applicants respectfully request withdrawal of the rejection under 35 USC §103(a) and respectfully request allowance of claims 9, 10, 19, 20, 24-34, 42-45, 47-49, 57-60.

Rejection of Claims 23, 46 and 50 Under 35 USC §103

Claims 23, 46 and 50 are rejected under 35 USC §103(a) as being unpatentable over *Estes et al.*, *Barnish et al.*, the Jamplast document and Radomyselski and *Evers et al.* and *Fyvie et al.* and further in view of *Deak et al.* (US 2005/0187125). The Examiner states that *Deak et al.* in the analogous art of dry cleaning teaches methods of cleaning with compositions comprising nonionic surfactants with HLB values from 6 to 11, and that it would have been obvious to one of ordinary skill in the art to incorporate the surfactants taught by *Deak*.

Applicants respectfully submit that one of ordinary skill in the art would not be motivated to combine these references to come up with a method of laundering in which the laundering apparatus comprises components from a static dissipating composition for the reasons described above. Furthermore the Barnish reference recites a polypropylene tub which is naturally non-conductive. Therefore the combination of these references do not amount to the claim as recited in claims 23, 46 and 50.

Applicants respectfully request withdrawal of rejection under 35 USC §103(a) and respectfully request allowance of claims 23, 46 and 50.

Rejection of Claims 55 and 56 Under 35 USC §103

Claims 55 and 56 are rejected under 35 USC §103(a) as being unpatentable over *Estes et al.*, *Berndt et al.*, *Check*, *Barnish et al.*, the Jamplast document and *Radomyselski et al.* and *Evers et al.* and *Fyvie et al.* and further in view of *Deak et al.* (US 2005/0187125).

Applicants respectfully submit that for the reasons articulated above, one of ordinary skill in the art would not utilize a laundering apparatus comprising dissipating compositions where the cited art uses a naturally non-conductive polymers.

Applicants respectfully request withdrawal of rejection under 35 USC §103(a) and respectfully request allowance of claims 55 and 56.

Conclusion

In summary, Applicants believes that this Amendment is fully responsive to the Office Action mailed on August 22, 2008, and that Applicants' claims include features that patentably define over the cited references. It is respectfully requested that for the foregoing reasons claims 1-34 and 42-60 of this application be found in condition for allowance. If the Examiner believes there are any further matters, which need to be discussed in order to expedite the prosecution of the present application, the Examiner is invited to contact the undersigned.

If there are any fees necessitated by the foregoing communication, please charge such fees to our Deposit Account No. 02-2051, referencing our Docket No. US20030459 (31480.6).

Respectfully submitted,

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Dated: January 22, 2009

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